IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION No.8267 OF 2005

M/s. India Coffee & Tea Distributing Co. Ltd. ..Petitioner

Versus

Chandrashekhar Vasudeo Bhat ..Respondent

Mr.R.A.Thorat for petitioner
Mr.Shreepat Murthy i/b Milan Bhise & Co.for respondent

CORAM : P.V.KAKADE, J.

DATE : 23RD JANUARY 2006.

P.C.:

1. Heard the learned counsel for the petitioner as well as for the respondent. Perused the record.

2. The petitioner has preferred this writ petition against the judgment and order passed by the lower appellate court dated 2.9.2005 dismissing the appeal and confirming the order of the trial court for possession of the suit property contemplated by provision under Section 13(g) of the Bombay Rent Act. The lower appellate court itself had given time to vacate the suit premises till 5th December, 2005 on Undertaking to be furnished by the

petitioner.

3. Today at the time of hearing of the matter it was suggested that if more time is given to the petitioner, who inclined to vacate the suit premises and therefore, without going into the merits of the matter, I hold that the order passed by the lower appellate court is hereby confirmed. However, the petitioner is given nine months time from today to hand over vacant possession of the suit premises to the respondent on furnishing an Undertaking to that effect within two weeks from the date of this order and further undertaking that no further time shall be asked for for vacating the premises.

4 Needless to mention that during the said period the petitioner shall continue to pay the rent to the respondent as agreed. With this direction the petition stands disposed of with no order as to costs.